

COLORADO PEACE OFFICER STANDARDS AND TRAINING

SUNRISE REVIEW OF PEACE OFFICER STATUS SUBCOMMITTEE

SEPTEMBER 16, 2011

REVIEW OF FT. CARSON POLICE

Sheriff Kirk Taylor, Pueblo County, Chair
Sheriff James Casias, Las Animas County
Chief John Patterson, City of Cherry Hills
Chief David Felice, City of Durango
Mr. Robert Pence, Public Member

The following report contains the application by the Ft. Carson Police/Federal Uniformed Police for consideration of obtaining Colorado Peace Officer Status and associated protections under Colorado Revised Statute (CRS) 16-2.5-201. Per the statute, the Peace Officer Standards and Training (POST) Board is required to review the requesting group's application prior to submission to the Colorado General Assembly.

As required by CRS 16-2.5.203, a proposal for obtaining peace officer status must have addressed specific criteria for the request to be considered. A completed POST Form 12 (attached) was submitted and contained the following information as required:

- A. A complete description of the group or specific position, its enforcement responsibilities and purpose for seeking peace officer status. The Ft. Carson Police is a federal civilian law enforcement agency that is responsible for the service and protection of the Ft. Carson military community, which includes both civilian and military personnel. The agency is responsible for enforcing, upholding and making arrests based upon probable cause and the laws of the Uniformed Code of Military Justice (UCMJ), Code of Federal Regulations (CFR), United States Code (USC) and the Colorado Revised Statutes within the jurisdiction of Ft. Carson. State statutes are enforced when applicable through the Assimilated Crimes Act (18 USC 13). The purpose for seeking peace officer status is to bring POST standards to the organization and improve service ability and provide a higher standard for recruitment and training of officers.
- B. An estimate of the number of persons who hold the position or are in the group affected. There are currently 52 officers, nine of whom are POST certified in Colorado. Granting of peace officer status will allow the nine officers to maintain their POST-certified status while employed. Three additional officers have POST certification from other states and can apply for provisional status. The remaining staff is federally certified and the training records have not been examined to determine compliance to POST standards.
- C. The specific need for peace officer authority and protections required for this group: This authority would afford POST certified members of the organization the ability to seek state prosecution of cases involving non-military personnel who commit offenses on Ft. Carson property. It would allow the agency to recruit, train and hire only POST-certified officers. This would improve the standard of training for the department and provide consistency in the region with other POST agencies. POST-certified officers would be able to seek state warrants and have booking authority for those arrested.
- D. The benefit to the public that would result from granting the peace officer status to the group: The benefit would be a higher professional standard and consistency that makes a better trained and educated officer. The federal training that officers currently receive is not of the quality that POST training provides and is a "canned" presentation made to other federal officers. POST training would be local, timely and done in conjunction with local agencies. The Ft. Carson training facilities would be available to local agencies and provide a local, cost effective option to travel and other costs borne by them.

E. The costs associated with granting recognition to applicant group: There is no fiscal impact to the State of Colorado.

Letters of support, as required, were submitted by Michael R. Kropushek, Director of Emergency Services at Ft. Carson and Deputy Chief John Bonk of the Ft. Carson Police Department.

A draft of the proposed bill language was submitted and is part of the Ft. Carson presentation (attached).

This application was reviewed and considered on September 16, 2011 by members of the Sunrise Review Subcommittee. The subcommittee recommended approval of the application for peace officer status.

Note: This recommendation was taken before the POST Board on September 23, 2011. The POST Board approved the recommendation and forwarded to the Chairs of the Colorado House of Representatives and State Senate Judiciary Committees.